

# LEGISLATIVE UPDATE

March 22, 2013 | Day 68 of the 105-day legislative session

**PugetSoundPartnership**

LEADING PUGET SOUND RECOVERY

*The Legislative Update is a frequent report distributed throughout the legislative session. Each edition includes an update of legislative activities, as well as a list of specific legislative meetings of interest to the Partnership and our partners. Copies of bills can be found on the Legislature's website at [www.leg.wa.gov](http://www.leg.wa.gov).*

## Revenue forecast better than expected

The latest revenue forecast was fairly flat, with a \$59 million increase for the current biennium and a \$19 million decrease for the upcoming 2013-2015 biennium. Overall, the state has a revenue gap of roughly \$1.3 billion to maintain general fund programs and services at current budget levels. This does not include the projected increase in state services from the recent caseload forecast or any additional funding to meet basic education needs identified by the state Supreme Court in the McCleary decision.

## Senate budget proposals anticipated next week

The Senate is expected to release their operating and capital budgets in the next week. We anticipate the initial budget proposals from the Senate "Majority Coalition Caucus" will include cuts to programs and funding important to Puget Sound. Discussions about raising revenue remain quiet, but Gov. Inslee is expected to release some budget priorities in the near future, which could include proposals to close tax loopholes.

To understand the broader context of the state budget, it is important to know that two-thirds of the budget is "off limits" to cuts because of constitutional and federal requirements. Without additional revenue, more than \$11 billion is available to deal with the \$1.3 billion shortfall and balance the budget while funding higher education, corrections, human services, K-12, transportation, governmental operations and natural resources.

## Partners urge legislators to invest in Puget Sound priorities

The Partnership and our many partner organizations continue to educate legislators about the highest-priority investments necessary for Puget Sound recovery. As the "oversight and accountability" agency for Puget Sound, the Partnership ranked new funding requests proposed by other agencies with the priorities in the Action Agenda. **Some of the top priorities include:**

## OPERATING BUDGET

**Supporting levee vegetation:** \$635,400 to fund two pilot projects in King and Whatcom counties that will result in safer levees that achieve Army Corps standards and effectively integrate protection for people, property, and endangered species into flood risk management efforts. (*Operating Budget — Puget Sound Partnership*)

## 2013 SESSION AT A GLANCE

**Length:** 105 days. If necessary, the Governor can call for a 30-day special session. Legislators can call themselves into special session with a two-thirds vote.

**Next Cutoff:** April 3, Last day to read in committee reports from opposite house except House fiscal committees and Senate Ways & Means and Transportation committees.

### Information:

- For up-to-date legislative information, visit: [www.leg.wa.gov](http://www.leg.wa.gov)
- To watch or listen to a legislative hearing, visit: [www.tvw.org](http://www.tvw.org)
- For both current and previous copies of the Legislative Update, visit: [www.psp.wa.gov](http://www.psp.wa.gov)

### Communication and Coordination:

If you are planning to testify on a bill, meet with legislators, or would like assistance with state legislative issues regarding Puget Sound priorities—please contact:

**Michael Grayum**  
Public Affairs Director  
360-628-1907

## OPERATING BUDGET *(continued)*

**Steelhead recovery planning:** \$800,000 to help identify the major threats that are reducing juvenile steelhead marine survival rates and \$1.2 million to develop steelhead recovery plans for 12 local watersheds that lack recovery plans. *(Operating Budget — Puget Sound Partnership)*

## CAPITAL BUDGET

**Puget Sound Acquisition & Restoration Fund and Salmon Recovery Funding Board:** \$80 million to fund the most important, science-based, locally prioritized projects to restore Puget Sound habitat. Salmon recovery grants help replace barriers to fish migration, replant stream banks and remove dikes and levees, as well as create and purchase pristine habitat. Project sponsors contribute to the costs— leveraging local and state investments. *(Capital Budget — Recreation and Conservation Office)*

**Puget Sound Estuary & Salmon Restoration Program:** \$10 million to provide funding and technical assistance for restoration and protection of Puget Sound beaches, bays and river deltas. This program leads to healthy habitat for salmon by ensuring that shorelines are intact, functioning naturally and resilient to climate change. *(Capital Budget — Recreation and Conservation Office)*

## TRANSPORTATION BUDGET

**Stormwater permit compliance:** \$8.7 million to manage urban runoff and reduce environmental impacts due to stormwater discharged from State highways and facilities. Funding continues the implementation of the Department of Transportation's stormwater management responsibilities to meet requirements of the National Pollutant Discharge Elimination System municipal permit. *(Department of Transportation)*

If your project or organization depends on Puget Sound funding, we can help connect your local needs with the regional priorities legislators are passionate about. We can also provide you with information about the investments that best protect and restore Puget Sound. Please contact [Michael Grayum](#) at 360.628.1907.

## Sequestration and 2013 Federal Budget

There were continued signs of activity in Washington, D.C., with Congress acting to avert a government shutdown before departing D.C. for a two-week recess. The Senate voted to approve a budget Continuing Resolution on March 20 that added appropriations bills for Homeland Security, Commerce, Justice and Science, and Agriculture in addition to the Defense and Veterans Affairs bills that the House had included. The legislation headed back to the House that voted and passed it the next day. Other agencies and departments such as Interior will be funded at Fiscal Year 12 levels. The legislation headed to the President for signature and enactment. We thank our many partners who have been watching for and helping oppose amendments that would have cut funding for our collaborative, regional effort to restore the health of Puget Sound — our nation's second-largest estuary.

## **2014 Federal Budget**

With the finalization of Fiscal Year 2013 budget issues, we turn our attention to Fiscal Year 2014 activities that relate to our priorities. Hearings have started on Fiscal Year 2014 budget and Rep. Rick Larsen (*2nd Congressional District*) weighed in this week to testify in support of the Pacific Coast Salmon Recovery Fund. This is a key federal funding program that advances our Habitat Strategic Initiative and is used to supplement the state, local and privately funded efforts to restore salmon in Alaska, Idaho, Oregon, California, and across all of Washington state. A link to Rep. Larsen's testimony submitted to the House appropriations committee can be found here: <http://larsen.house.gov/press-release/testimony-house-appropriations-committee-appropriations-subcommittee-commerce-justice>

If you are heading to Washington, D.C., we can provide you with information about federal programs and priorities that best protect and restore Puget Sound. Lisa Bellefond is the Partnership's go-to person for all things federal and we encourage you to connect with her at [lisa.bellefond@psp.wa.gov](mailto:lisa.bellefond@psp.wa.gov).

## **LEGISLATION PERTINENT TO PUGET SOUND**

### **SHELLFISH**

**Coastal Marine Advisory Council:** Sen. Hatfield's legislation, [Senate Bill 5603](#), establishing the Washington coastal marine advisory council and the Washington marine resources advisory council, advanced from the Senate 40-9, and is scheduled for a public hearing in the House Environment Committee on Tuesday, March 26, at 8 a.m. The proposed coastal council would serve as a forum on coastal issues such as fisheries, shellfish aquaculture and ocean energy. The proposed marine council would advance the recommendations from the ocean acidification report, as originally proposed in Sen. Ranker's bill which did not survive the policy cutoff deadline. The Partnership supports the Blue Ribbon Panel's recommendations, as well as the \$3.3 million included in Gov. Gregoire's proposed budget for implementation.

**Climate change:** Engrossed Second [Substitute Senate Bill 5802](#), requested by Gov. Inslee and sponsored by Sen. Ranker, regarding the development of recommendations to achieve the state's greenhouse gas emissions limits passed out of the House Committee on the Environment on Thursday by a 9-3 vote and advanced directly to the House floor. The legislation would create the Climate Legislative and Executive Work Group, and commission a report to evaluate approaches to reduce greenhouse gas emissions. It could be on the Governor's desk for final adoption as early as next week. You can watch the public hearing at: [http://www.tvw.org/index.php?option=com\\_tvwliveplayer&eventID=2013031105](http://www.tvw.org/index.php?option=com_tvwliveplayer&eventID=2013031105)

## HABITAT

**Land acquisitions:** Sen. Honeyford's legislation to establish a process for the acquisition of habitat and recreation lands, [Senate Bill 5054](#), advanced from the Senate by a 28-21 vote and is scheduled for public hearing in the House Committee on Agriculture & Natural Resources on Tuesday, March 26, at 10 a.m. The bill would require certain state agencies to request and receive approval from the Legislature prior to acquiring certain types of real property. Concerns continue to be expressed about hindering existing land acquisition processes and restricting the flexibility necessary to take advantage of market opportunities.

**Landowner liability:** Rep. Stanford's legislation, [House Bill 1194](#), to limit landowner liability for habitat projects, passed the House 75-22 and has been scheduled for a public hearing in the Senate Committee on Law & Justice on Tuesday, March 29, at 8 a.m. The Partnership supports this legislation and congratulates everyone working together to keep this bill moving forward.

**Conservation easements:** Rep. Sawyer's legislation allowing tribes to hold conservation easements, [House Bill 1277](#), passed the House on a 75-22 vote and is scheduled for a public hearing in the Senate Committee on Natural Resources & Parks on Thursday, March 28, at 1:30 p.m. The Partnership supports this legislation. Protection of habitat is a top priority in the Puget Sound Action Agenda and a major focus for our tribal partners.

**Aquatic invasive species:** Sen. Honeyford's legislation, [Substitute Senate Bill 5702](#), regarding aquatic invasive species, passed the Senate 46-0. The bill was heard on March 21 in the House Committee on Agriculture & Natural Resources and is scheduled for an executive session on Thursday, March 28, at 1:30 p.m. The Partnership, Invasive Species Council, Ports Association and NW Marine Trade Association all support this legislation, which specifies that transporting a recreational or commercial watercraft into the state without meeting valid documentation requirements is an aquatic invasive species infraction. It also repeals the Aquatic Nuisance Species Committee. You can watch the public hearing at: [www.tvw.org/index.php?option=com\\_tvwplayer&eventID=2013031099#start=2472&stop=3900](http://www.tvw.org/index.php?option=com_tvwplayer&eventID=2013031099#start=2472&stop=3900)

**Water rights:** Sen. Ericksen's legislation concerning de facto changes in water rights for irrigation purposes, [Senate Bill 5199](#), received a public hearing on March 21 in the House Agriculture & Natural Resources Committee and is scheduled for executive session on Thursday, March 28, at 1:30 p.m. The latest version of this legislation would require Ecology to initiate a process to allow water rights holders to change the status of water rights currently put to a different place of use only if certain conditions are met. The Washington Farm Bureau and Whatcom Farm Friends support the proposal, while the Washington Environmental Council and Lummi Nation continue voicing strong opposition. Watch the public hearing online at: [http://www.tvw.org/index.php?option=com\\_tvwplayer&eventID=2013031099](http://www.tvw.org/index.php?option=com_tvwplayer&eventID=2013031099)

## TOXICS

**Derelict vessels:** Rep. Hansen's derelict vessel legislation in the House, [Substitute House Bill 1245](#), advanced out of the House on a 96-1 vote and received a public hearing in the Senate Natural Resources & Parks Committee on Thursday, March 21, at 1:30 p.m. Sen. Pearson's legislation, [Substitute Senate Bill 5663](#), advanced out of the Senate on a 45-4 vote and was heard in the House Agriculture & Natural Resources Committee on Wednesday, March 20, at 8 a.m. The Partnership supports both bills and continues advocating for the Derelict Vessel Removal Program to have the funding necessary to expedite the removal of the more than 230 older, larger, more expensive ships. There is a broad coalition of partners now working together on this outcome.

**Model Toxics Control Account (MTCA):** The two MTCA reform bills, [Senate Bill 5296](#) sponsored by Sen. Ericksen, and [Senate Bill 5201](#) sponsored by Sen. Ranker, continue to be in a holding pattern in the Senate Ways & Means Committee waiting to be part of the broader budgeting proposals. Senate staff continue sharing new drafts of Sen. Ericksen's bill and the recent revenue forecast projects an increased \$8.8 million in the MTCA account, which will intensify the budget negotiations about how the funds should be utilized.

## ECONOMIC DEVELOPMENT

**Urban economic revitalization:** Rep. Appleton's legislation providing for community economic revitalization in incorporated areas, [House Bill 1648](#), advanced from the House with an 89-8 vote and received a public hearing in the Senate Trade & Economic Development Committee on March 19. The Partnership, cities, and Puget Sound Regional Council support this legislation, which advances one of the top habitat priorities for Puget Sound. The bill would incentivize municipalities to revitalize vacant and abandoned properties in incorporated areas. Incentivizing growth in incorporated areas promotes jobs, strengthens local economies, and manages growth in areas that are already developed. This is good for the environment and economy of Puget Sound, and the rest of our state.

## UPCOMING HEARINGS RELATED TO PUGET SOUND

### Monday, March 25

10 a.m. Senate Government Operations; Public Hearing:

- [ESHB 1401](#) — Addressing the timing of penalties under the Growth Management Act.
- [ESHB 1717](#) — Incentivizing up-front environmental planning, review, and infrastructure construction actions.

### Tuesday, March 26

8 a.m. House Environment; Public Hearing:

[ESB 5603](#) — Establishing the Washington coastal marine advisory council and the Washington marine resources advisory council.

10 a.m. House Agriculture & Natural Resources; Public Hearing:

[SSB 5054](#) — Establishing a process for the acquisition of habitat and recreation lands by the state.

### Wednesday, March 27

1:30 p.m. House Environment; Public Hearing:

- [SB 5658](#) — Concerning mercury-containing lights.
- [ESSB 5290](#) — Designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, water pipes whose primary purpose is for conveyance of water for domestic use, and wastewater pipes as an eligible renewable resource under Chapter 19.285 RCW.

Work Session: Overview of current issues pertaining to the Department of Ecology and the Department of Commerce.

### Thursday, March 28

10 a.m. House Government Operations & Elections; Public Hearing:

[SSB 5679](#) — Improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules.

1:30 p.m. Senate Natural Resources & Parks; Public Hearing:

[HB 1277](#) — Concerning tribes holding conservation easements.

1:30 p.m. House Agriculture & Natural Resources; Executive Session;

[SSB 5702](#) — Concerning aquatic invasive species.

### Friday, March 29

8 a.m. Senate Law & Justice; Public Hearing:

[HB 1194](#) — Limiting liability for habitat projects.



Bill	Comp. Bills	Title	Latest Cmte Mtg Info	Status	Sponsor
<b>KEY LEGISLATION FOR PUGET SOUND</b>					
<a href="#">SHB 1127</a>		Prefire mitigation plans	Jan 30 Executive action taken in the House Committee on Public Safety at 1:30 PM.	H Approps	Klippert
<a href="#">SHB 1188</a>		Underproducing ag land	Mar 29 Scheduled for public hearing in the Senate Committee on Law & Justice at 8:00 AM. (Subject to change)	S Law & Justice	Lytton
<a href="#">HB 1194</a>		Habitat project liability	Mar 21 Public hearing in the Senate Committee on Natural Resources & Parks at 1:30 PM.	S Natural Resourc	Stanford
<a href="#">SHB 1245</a>		Derelict & abandoned vessels	Feb 21 Executive action taken in the House Committee on Environment at 10:00 AM.	H Approps	Hansen
<a href="#">HB 1275</a>	<a href="#">SB 5788</a>	Wastewater discharge fees	Mar 28 Scheduled for public hearing in the Senate Committee on Natural Resources & Parks at 1:30 PM. (Subject to change)	S Natural Resourc	Hunt
<a href="#">HB 1277</a>		Conservation easemnts/tribes	Mar 19 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 1:30 PM.	S Energy, Environ	Sawyer
<a href="#">ESHB 1294</a>	<a href="#">SB 5181</a>	Flame retardants	Feb 21 Executive action taken in the House Committee on Agriculture & Natural Resources at 1:30 PM.	H Apps Gen Govt	Van De Wege
<a href="#">SHB 1350</a>		Growth and water resources	Mar 20 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8:00 AM.	S Energy, Environ	Chandler
<a href="#">ESHB 1364</a>	<a href="#">SB 5457</a>	Small rechargeable batteries		H Govt Acct & Ove	Tharinger
<a href="#">HB 1384</a>		Natural resources management	Mar 25 Scheduled for public hearing in the Senate Committee on Governmental Operations at 10:00 AM. (Subject to change)	S Govt Ops	Orcutt
<a href="#">SHB 1401</a>	<a href="#">SB 5399</a>	Growth mgmt act/ penalties	Mar 21 Public hearing in the Senate Committee on Natural Resources & Parks at 1:30 PM.	S Natural Resourc	Fitzgibbon
<a href="#">HB 1570</a>	<a href="#">SB 5593</a>	Property tx exemption claims	Feb 21 Executive action taken in the House Committee on Government Operations & Elections at 10:00 AM.	H Approps	Kretz
<a href="#">SHB 1591</a>	<a href="#">SB 5679</a>	Agency rule review process	Mar 19 Public hearing in the Senate Committee on Trade & Economic Development at 8:00 AM.	S Trade & Econom	Smith
<a href="#">2SHB 1648</a>		Cmty economic revitalization	Mar 25 Scheduled for public hearing in the Senate Committee on Governmental Operations at 10:00 AM. (Subject to change)	S Govt Ops	Appleton
<a href="#">SHB 1717</a>		Up-front enviro planning		H Trans	Fitzgibbon

<a href="#"><u>SHB 1894</u></a>	Shellfish aquaculture	Mar 26 Scheduled for public hearing in the House Committee on Agriculture & Natural Resources at 10:00 AM. (Subject to change)	H Ag & Nat Res	Seaquist
<a href="#"><u>HB 1924</u></a>	Watershed planning grants	Mar 27 Scheduled for public hearing in the House Committee on Environment at 1:30 PM. (Subject to change)	H Environment	Tharinger
<a href="#"><u>SSB 5054</u></a>	Habitat and recreation lands	Feb 20 Public hearing in the Senate Committee on Ways & Means at 3:30 PM.	S Ways & Means	Honeyford
<a href="#"><u>SSB 5057</u></a>	Land acquired w/ public funds	Feb 27 Public hearing in the Senate Committee on Ways & Means at 2:00 PM.	S Ways & Means	Ericksen
<a href="#"><u>SB 5276</u></a>	Designated agricultural land	Mar 26 Scheduled for public hearing in the House Committee on Environment at 8:00 AM. (Subject to change)	H Environment	Hobbs
<a href="#"><u>SSB 5290</u></a>	<a href="#"><u>HB 1415</u></a> Hydroelectric generation	Mar 27 Scheduled for public hearing in the House Committee on Environment at 1:30 PM. (Subject to change)	H Environment	Delvin
<a href="#"><u>SSB 5296</u></a>	Model toxics control act	Mar 20 Public hearing in the House Committee on Agriculture & Natural Resources at 8:00 AM.	H Ag & Nat Res	Ericksen
<a href="#"><u>SB 5424</u></a>	<a href="#"><u>HB 1579</u></a> Paint stewardship	Mar 28 Scheduled for public hearing in the House Committee on Government Operations & Elections at 10:00 AM. (Subject to change)	H Govt Operations	Chase
<a href="#"><u>SB 5603</u></a>	Coastal marine adv. council	Mar 28 Scheduled for executive session in the House Committee on Agriculture & Natural Resources at 1:30 PM. (Subject to change)	H Ag & Nat Res	Hatfield
<a href="#"><u>SB 5658</u></a>	Mercury-containing lights	Mar 21 Executive action taken in the House Committee on Environment at 10:00 AM.	H 2nd Reading	Ericksen
<a href="#"><u>SSB 5663</u></a>	Derelict & abandoned vessels	Jan 30 Executive action taken in the House Committee on Public Safety at 1:30 PM.	H Approps	Pearson
<a href="#"><u>SSB 5679</u></a>	<a href="#"><u>HB 1591</u></a> Agency rule review process	Mar 29 Scheduled for public hearing in the Senate Committee on Law & Justice at 8:00 AM. (Subject to change)	S Law & Justice	Brown
<a href="#"><u>SSB 5702</u></a>	Aquatic invasive species	Mar 21 Public hearing in the Senate Committee on Natural Resources & Parks at 1:30 PM.	S Natural Resourc	Honeyford
<a href="#"><u>2SSB 5802</u></a>	<a href="#"><u>HB 1915</u></a> Greenhouse gas emissions	Feb 21 Executive action taken in the House Committee on Environment at 10:00 AM.	H Approps	Ranker



BUDGET LEGISLATION						
<a href="#">HB 1057</a>	<a href="#">SB 5034</a>	Operating budget 2013-2015	Jan 15 Public hearing in the House Committee on Appropriations at 3:30 PM.	H Approps	Hunter	
<a href="#">HB 1058</a>	<a href="#">SB 5033</a>	Operating sup budget 2013	Jan 15 Public hearing in the House Committee on Appropriations at 3:30 PM.	H Approps	Hunter	
<a href="#">HB 1088</a>	<a href="#">SB 5036</a>	State gen. obligation bonds	Jan 28 Public hearing in the House Committee on Capital Budget at 1:30 PM.	H Cap Budget	Dunshee	
<a href="#">HB 1089</a>	<a href="#">SB 5035</a>	Capital budget 2013-2015	Jan 28 Public hearing in the House Committee on Capital Budget at 1:30 PM.	H Cap Budget	Dunshee	
<a href="#">HB 1864</a>	<a href="#">SB 5024</a>	Trans budget 2011-13/2013-15		H Trans	Clibborn	
<a href="#">HB 2003</a>		Fiscal matters T.O.		H Approps	Hunter	
<a href="#">HB 2004</a>		Fiscal matters T. O.		H Approps	Hunter	
<a href="#">HB 2005</a>		State government T.O.		H Approps	Hunter	
<a href="#">HB 2006</a>		State government T.O.		H Approps	Hunter	
<a href="#">HB 2011</a>		Natural resources T.O.		H Approps	Hunter	
<a href="#">SB 5024</a>	<a href="#">HB 1864</a>	Trans budget 2011-13/2013-15	Latest Cmte Mtg Info	Status	King	
<a href="#">SB 5033</a>	<a href="#">HB 1058</a>	Operating sup budget 2013			Hill	
<a href="#">SB 5034</a>	<a href="#">HB 1057</a>	Operating budget 2013-2015	Jan 30 Executive action taken in the House Committee on Public Safety at 1:30 PM.	H Approps	Hill	
<a href="#">SB 5035</a>	<a href="#">HB 1089</a>	Capital budget 2013-2015	Feb 23 Public hearing and executive action taken in the House Appropriations Subcommittee on General Government at 9:00 AM.	H Rules C	Honeyford	
<a href="#">SB 5036</a>	<a href="#">HB 1088</a>	State gen. obligation bonds	Feb 5 Executive action taken in the House Committee on Judiciary at 10:00 AM.	S Law & Justice	Honeyford	
<a href="#">SB 5870</a>		Fiscal matters T.O.		S Ways & Means	Hill	
<a href="#">SB 5871</a>		Fiscal matters T.O.		S Ways & Means	Hill	
<a href="#">SB 5872</a>		State government T.O.		S Ways & Means	Hill	
<a href="#">SB 5873</a>		State government T.O.		S Ways & Means	Hill	
<a href="#">SB 5878</a>		Natural resources T.O.		S Ways & Means	Hill	